

EXHIBIT C

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7 Attorneys for Defendant
FACEBOOK, INC.

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11
12 SAMBREEL HOLDINGS LLC; YONTOO LLC;
and THEME YOUR WORLD LLC,

13 Plaintiffs,

14 vs.

15 FACEBOOK, INC.,

16 Defendant.

CASE NO. 12-CV-00668-CAB-KSC

**DEFENDANT FACEBOOK, INC.'S
REVISED FIRST SET OF
INTERROGATORIES PROPOUNDED
TO PLAINTIFF SAMBREEL
HOLDINGS LLC**

17
18 **PROPOUNDING PARTY:** Defendant, FACEBOOK, INC.

19 **RESPONDING PARTY:** Plaintiff, SAMBREEL HOLDINGS LLC

20 **SET NO.:** ONE (1) - Revised

21
22 **PRELIMINARY STATEMENT**

23 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, defendant FACEBOOK, INC.
24 ("Defendant" or "Facebook") hereby propounds this Revised First Set of Interrogatories to plaintiff
25 SAMBREEL HOLDINGS LLC ("Plaintiff" or "Sambreel") and requests that each interrogatory be
26 answered separately, fully, in writing, and under oath, by May 1, 2012.

27
28
REVISED FIRST SET OF INTERROGATORIES

CASE NO: 12-CV-00668-CAB-KSC

INTERROGATORIES

INTERROGATORY NO. 1:

Identify all facts, documents and witnesses that Sambreel seeks to rely upon in support of its motion for a preliminary injunction, unless the use would be solely for impeachment.

DATED: April 20, 2012

Respectfully submitted,
KIRKLAND & ELLIS LLP

s/ James F. Basile

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10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 SAMBREEL HOLDINGS LLC; YONTOO LLC;
12 and THEME YOUR WORLD LLC,

13 Plaintiffs,

14 vs.

15 FACEBOOK, INC.,

16 Defendant.
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CASE NO. 12-CV-00668-W-KSC

**DEFENDANT FACEBOOK, INC.'S
REVISED FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS
PROPOUNDED TO PLAINTIFF
SAMBREEL HOLDINGS LLC**

18 **PROPOUNDING PARTY:** Defendant, FACEBOOK, INC.

19 **RESPONDING PARTY:** Plaintiff, SAMBREEL HOLDINGS LLC

20 **SET NO.:** ONE (1) - Revised
21

22 **PRELIMINARY STATEMENT**

23 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant FACEBOOK, INC.
24 ("Defendant" or "Facebook") hereby requests that, by May 1, 2012, plaintiff SAMBREEL
25 HOLDINGS LLC ("Plaintiff" or "Sambreel") respond in writing to each of the following Revised
26 First Set of Requests for Production of Documents, and produce all responsive documents for
27 inspection and copying at the offices of Kirkland & Ellis LLP at 555 California Street, Suite 2700,
28 San Francisco, California.

REVISED FIRST SET OF
DOCUMENT REQUESTS

CASE NO: 12-CV-00668-CAB-KSC

REQUESTS FOR PRODUCTION**REQUEST FOR PRODUCTION NO. 1:**

Documents sufficient to show communications from PageRage users expressing dissatisfaction or confusion concerning the PageRage plug-in and Plaintiffs' responses from January 2009 through present, in whatever format PageRage keeps consumer complaints.

REQUEST FOR PRODUCTION NO. 2:

Plaintiffs' contracts with the seven advertising partners identified in Paragraph 3 of Mr. Sullivan's declaration in support of Plaintiffs' preliminary injunction motion (Rubicon Project, AdMeld, OpenX, Advertising.com, LifeStreet, SayMedia, and Microsoft Media Network) and Neverblue concerning the placement of advertisements through PageRage.

REQUEST FOR PRODUCTION NO. 3:

All communications, since July 2011 to present, by Plaintiffs with the seven advertising partners identified in Paragraph 3 of Mr. Sullivan's declaration in support of Plaintiffs' preliminary injunction motion (Rubicon Project, AdMeld, OpenX, Advertising.com, LifeStreet, SayMedia, and Microsoft Media Network) and Neverblue concerning (a) discussions with Facebook about the ad injection methods, including serving ads through PageRage, and (b) why each of the seven advertising providers stopped doing business with PageRage.

REQUEST FOR PRODUCTION NO. 4:

Documents sufficient to show the number of PageRage users on a daily, weekly, or monthly basis since January 2009.

REQUEST FOR PRODUCTION NO. 5:

Documents sufficient to show, since January 2009, each of the methods by which users obtain PageRage, e.g., visiting pagerage.com directly, downloading PageRage through bundled software (identifying the bundled software), affiliate advertising that directs users to pagerage.com, etc.) and the percentage of users that download PageRage through each of the identified methods.

1 **REQUEST FOR PRODUCTION NO. 6:**

2 Documents sufficient to show user turnover rates since January 2009 on a daily, weekly, or
3 monthly basis, which ever is most convenient, for each method (or avenue) of installation, the rate at
4 which PageRage users uninstalled or otherwise disabled the PageRage plug-in.

5 **REQUEST FOR PRODUCTION NO. 7:**

6 Documents sufficient to show the spectrum of PageRage's functionality since January 2009,
7 which could take the form of marketing materials or internal management material that describes
8 PageRage's functionality, including any functionality that is not identifiable from public-facing
9 material.

10 **REQUEST FOR PRODUCTION NO. 8:**

11 Documents sufficient to show on a daily, weekly, or monthly basis, whichever is most
12 convenient since January 2009, (a) the number of advertising impressions that PageRage and all
13 other Sambreel products served, (b) the actual or average cost per 1000 impressions of the
14 advertisements PageRage and all other Sambreel products served, (c) Sambreel's revenue from
15 PageRage and (d) Sambreel's revenue for all of its other products. The Documents should be
16 sufficient to show the breakdown of each of the three categories for PageRage as compared to all
17 other Sambreel products.

18 **REQUEST FOR PRODUCTION NO. 9:**

19 The "advertising policies" that Mr. Trouw refers to in Paragraph 35 of his declaration in
20 support of Plaintiffs' preliminary injunction motion.

21 **REQUEST FOR PRODUCTION NO. 10:**

22 Documents sufficient to show any efforts by Plaintiffs to circumvent any technical or code-
23 based barriers or other measures designed to block www.pagerage.com or the PageRage plug-in
24 from facebook.com.

25 **REQUEST FOR PRODUCTION NO. 11:**

26 Documents sufficient to show Plaintiffs' standard form marketing materials provided to
27 advertisers, advertising networks, and advertising providers to sell advertising space on PageRage.

REQUEST FOR PRODUCTION NO. 12:

Documents sufficient to show Sambreel's use of Facebook user data (including User IDs), including its use of Facebook user data for its own functionality, whether and how it stores Facebook user data, and whether and how it shares Facebook user data with other Sambreel entities or third-parties and the identity of those parties.

REQUEST FOR PRODUCTION NO. 13:

Documents sufficient to show (a) the types of advertisements displayed through PageRage, including the size, placement, content, and degree of targeting available to advertisers, (b) the extent to which Sambreel and/or its advertising intermediaries targeted or target advertisements to PageRage users (e.g., targeted ads to users pursuant to particular demographic or other identifying information), (c) method(s) used to conduct such targeting, and (d) the percentage of total PageRage advertising that each type of advertisement comprises.

REQUEST FOR PRODUCTION NO. 14:

Documents sufficient to show (a) which Sambreel products and businesses generated revenues from Request for Production No. 8(d) above and (b) the time period during which such products were generating that revenue.

REQUEST FOR PRODUCTION NO. 15:

As to the products Arie Trouw contends Sambreel shelved in Paragraph 41 of his declaration, documents sufficient to show (a) the identity of each shelved products; (b) the total budgeted cost for development of each such product; (c) the total amount spent developing such product; and (d) projected revenue for such products.

REQUEST FOR PRODUCTION NO. 16:

Documents sufficient to show (a) the data underlying Mr. Sullivan's assertion that "[b]efore Facebook's interference, purchases made or brokered by these entities [Rubicon Project, AdMeld, OpenX, Advertising.com, LifeStreet, SayMedia, and Microsoft Media Network] represented more than 80 percent of the advertising revenue for PageRage," Sullivan Decl. ¶ 3, (b) the revenue or percentage of revenue that PageRage derived from each of the entities Mr. Sullivan describes, *see*

1 Sullivan Decl. ¶ 3, and (c) all advertising partners from whom Sambreel has generated revenue for
2 PageRage from March 16, 2012 through the present and the percentage of revenue from each.

3 **REQUEST FOR PRODUCTION NO. 17:**

4 The terms and agreement governing Plaintiffs' lines of credit and any defaults on lines of
5 credit and communications between Sambreel and any creditors concerning defaults on credit lines.

6 **REQUEST FOR PRODUCTION NO. 18:**

7 Documents identified in Sambreel's response to Interrogatory No. 1.
8
9

10 DATED: April 20, 2012

Respectfully submitted,
KIRKLAND & ELLIS LLP

12 s/ James F. Basile

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15 FACEBOOK, INC.,

16 Defendant.
17

CASE NO. 12-CV-00668-CAB-KSC

**DEFENDANT FACEBOOK, INC.'S
REVISED NOTICE OF DEPOSITION
OF ARIE TROUW**

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 **PLEASE TAKE NOTICE** that pursuant to Rules 26 and 30 of the Federal Rules of Civil
20 Procedure, Defendant Facebook, Inc shall take the deposition of Arie Trouw at the offices of Cooley
21 LLP 4401 Eastgate Mall San Diego, California 92121 commencing at 10:00 a.m., on Thursday May
22 10, 2012, or at such other time and location as mutually agreed upon by counsel. The deposition
23 will be conducted before an officer or other person authorized to administer oaths pursuant to Rule
24 28 of the Federal Rules of Civil Procedure, and will be recorded both stenographically, by video
25 recording, and by instantaneous transcript and visual display of testimony. The deposition is being
26 conducted on an expedited basis in connection with Plaintiffs' Preliminary Injunction Motion and
27 will be limited to five hours on the record and will cover topics related to Plaintiffs' Preliminary
28 Injunction Motion. The deposition shall be used for discovery purposes, and may be introduced as

REVISED TROUW
DEPOSITION NOTICE

1 evidence in the proceedings and trial of the above-entitled action.

2

3 DATED: April 20, 2012

4

s/ James F. Basile

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13 Plaintiffs,

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15 FACEBOOK, INC.,

16 Defendant.
17

CASE NO. 12-CV-00668-CAB-KSC

**DEFENDANT FACEBOOK, INC.'S
REVISED NOTICE OF DEPOSITION
OF BRAD MILLER**

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 **PLEASE TAKE NOTICE** that pursuant to Rules 26 and 30 of the Federal Rules of Civil
20 Procedure, Defendant Facebook, Inc shall take the deposition of Brad Miller at the offices of Cooley
21 LLP 4401 Eastgate Mall San Diego, California 92121 commencing at 10:00 a.m., on Wednesday
22 May 16, 2012, or at such other time and location as mutually agreed upon by counsel. The
23 deposition will be conducted before an officer or other person authorized to administer oaths
24 pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will be recorded both
25 stenographically, by video recording, and by instantaneous transcript and visual display of
26 testimony. The deposition is being conducted on an expedited basis in connection with Plaintiffs'
27 Preliminary Injunction Motion and will be limited to five hours on the record and will cover topics
28 related to Plaintiffs' Preliminary Injunction Motion. The deposition shall be used for discovery

REVISED MILLER
DEPOSITION NOTICE

1 purposes, and may be introduced as evidence in the proceedings and trial of the above-entitled
2 action.

3
4 DATED: April 20, 2012

s/ James F. Basile

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